

UNITED STATES DISTRICT COURT**District of New Mexico**UNITED STATES OF AMERICA
V.**Derrick Pena****Judgment in a Criminal Case**
(For **Revocation** of Probation or Supervised Release)Case Number: **1:10CR1656-002JB**USM Number: **54315-051**Defense Attorney: **John Butcher, Appointed**

THE DEFENDANT:

- ☒ admitted guilt to violations of condition(s) **SC, Special, MC** of the term of supervision.
- ☐ was found in violation of condition(s) after denial of guilt.

The defendant is adjudicated guilty of these violations:

<i>Violation Number</i>	<i>Nature of Violation</i>	<i>Violation Ended</i>
	Special - "The defendant failed to participate in and successfully complete an outpatient substance abuse treatment program".	06/21/12

The defendant is sentenced as provided in pages 1 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has not violated condition(s) and is discharged as to such violation(s).

IT IS FURTHER ORDERED that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

1295

Last Four Digits of Defendant's Soc. Sec. No.

July 26, 2013

Date of Imposition of Judgment

1980

Defendant's Year of Birth

/s/ James O. Browning

Signature of Judge

Albuquerque, NM

City and State of Defendant's Residence

Honorable James O. Browning
United States District Judge

Name and Title of Judge

July 31, 2013

Date Signed

Defendant: **Derrick Pena**
Case Number: **1:10CR1656-002JB**

ADDITIONAL VIOLATIONS

<i>Violation Number</i>	<i>Nature of Violation</i>	<i>Violation Ended</i>
	Standard Condition - "The defendant failed to answer truthfully all inquiries by the probation officer."	06/21/12
	Mandatory Condition - "The defendant committed another federal, state, or local crime."	08/06/12

Defendant: **Derrick Pena**
Case Number: **1:10CR1656-002JB**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **354 days or time served, whichever is less**.

For the reasons stated on the record at the hearing held July 26, 2013, the Court varies.

As to Violation No. 3 (the Mandatory Condition), the Defendant admits only that those charges have been filed.

A term of supervised release is not reimposed.

- ☐ The court makes these recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at on
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on
- ☐ as notified by the United States Marshal
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to
_____ at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL